

Application No: 10/666,379 Docket No.: Q137-US10

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REMARKS

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Claims 66-91 were previously presented. Accordingly, claims 66-91 are pending examination.

Rejection of Claim 66 Under 35 USC §103

Claims 66-75, 88 and 91 are rejected under 35 USC §103(a) as being unpatentable over U.S. Patent No. 5,501,915 (Teramoto) in view of U.S. Patent No. 6,399,242 (Kitoh).

Claim 66 specifies "transporting electrolyte through the opening and into the case while resting the end cap on the case with an edge of the case positioned between the tab and the case." Accordingly, the obviousness rejection is not supported unless Teramoto in view of Kitoh teaches or suggest resting the end cap on the case with an edge of the case positioned between the tab and the case while transporting electrolyte through the opening and into the case.

The Office Action cites Figure 4 and C5, L20-43 of Kitoh for the required teaching. However, the cited portion of Kitoh does not teach or suggest resting the end cap on the case with an edge of the case positioned between the tab and the case while transporting electrolyte through the opening and into the case. Teramoto also does not provide this teaching. Since neither Teramoto nor Kitoh teaches or suggests every element of claim 66, claim 66 is patentable over the cited art.

Rejection of Claims 67-91

Claims 67-91 each depends directly of indirectly from claim 66. Since claim 66 is believed to be in condition for allowance, these claims are also believed to be in condition for allowance.

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CONCLUSION

Applicant submits that the claims define patentably over the prior art and that this application is in condition for allowance. Accordingly, favorable consideration and allowance of this application is courteously requested.

The Examiner is encouraged to telephone the undersigned with any questions.

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